

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

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GLAXO GROUP LIMITED :  
: .  
: .  
Plaintiff, : Civil Action No. 04-171-KAJ  
: .  
: .  
v. :  
: .  
: .  
TEVA PHARMACEUTICALS USA, INC. and :  
TEVA PHARMACEUTICAL INDUSTRIES :  
LIMITED :  
Defendants. :  
: .  
: .  
-----x

**STIPULATION REGARDING AUTHENTICITY  
AND ADMISSIBILITY OF DOCUMENTS AND TESTIMONY**

WHEREAS, the Glaxo Group Limited (“Glaxo”) and Teva Pharmaceuticals USA, Inc. and Teva Pharmaceutical Industries Limited (collectively, “Teva”) have reached an agreement regarding the authenticity and admissibility of certain documents and testimony,

IT IS HEREBY STIPULATED and ORDERED that:

1. All documents identified in Appendix A attached hereto are authentic and admissible evidence in this case. The parties may use any document identified in Appendix A in dispositive motions or at trial, in whole or in part, subject to the right of the other party to designate and/or admit additional portions of any document for context and completeness.
2. The trial transcript of all trial testimony given by the following Glaxo witnesses in *Glaxo v. Pharmadyne*, 32 F. Supp.2d 265 (D. Md. 1998), and all related documents that were admitted into evidence as trial exhibits, are admissible evidence in this case:

- Dr. John R. Wood (Teva reserves the right to contest its admissibility, in whole or in part, as irrelevant or prejudicial);
- Dr. David R. Long;
- Dr. John Malcolm Padfield; and
- Dr. John Hempenstall.

3. The transcript of all deposition testimony of the following Glaxo witnesses in *Glaxo v. Pharmadyne*, 32 F. Supp.2d 265 (D. Md. 1998), and all Glaxo documents that were marked as deposition exhibits during those depositions, are admissible evidence in this case:

- Dr. David Long;
- Dr. John Malcolm Padfield;
- Dr. John Hempenstall;
- Dr. Ian Winterborn;
- Gillian Amphlett; and
- Nadeem Elahi.

AGREED AS TO FORM AND SUBSTANCE:

Dated: May/0, 2006

For Plaintiff GLAXO GROUP LIMITED

By: /s/ Francis DiGiovanni

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Dated: May/0, 2006

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TEVA PHARMACEUTICAL  
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Pharmaceutical Industries Limited

SO ORDERED this \_\_\_\_ day of \_\_\_\_\_ 2006.

\_\_\_\_\_  
UNITED STATES DISTRICT JUDGE